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# Spied under orders, says ex-Army agent

By John Linstead

Former Army intelligence agent John M. O'Brien has testified he was following orders of his superiors and the "understood policy" of his unit when he spied on Chicago-area residents and built dossiers on them.

O'Brien, 26, a member of the 113th Military Intelligence Group here from June, 1969, to June, 1970, gave the testimony as Army lawyers sought to show he spied on civilians on his own initiative.

O'Brien insisted his orders to maintain surveillance on individuals and groups in the Chicago area came from Thomas L. Filkins, civilian chief of the 113th's special operations section.

O'Brien, who made nationally publicized disclosures earlier this month of reputed domestic spying by the Army, was cross-examined by U.S. Atty. William J. Bauer, acting as defense lawyer for the Army.

**O'BRIEN TESTIFIED** Tuesday before U.S. District Court Judge Richard B. Austin in a hearing on a suit brought by the American Civil Liberties Union to stop the alleged spying.

Among those under surveillance, according to O'Brien, was Seymour Gale, a certified public accountant and president of the New Trier Twp. High School Board.

O'Brien testified that agents who were watching Gale's home during a suspected "political meeting" had unordered pizzas sent to the Gale house

to harass and embarrass him.

**O'BRIEN SAID** he and other agents watched the house and noted license numbers of persons who belonged to the Student Mobilization Committee and Veterans for Peace.

Gale said he didn't remember paying for the unordered pizzas because, with a house often full of college-age children and their friends, he often pays for pizzas delivered to his home.

Gale called the surveillance of himself "reprehensible."

**O'BRIEN** in his testimony also added other new names to the list of those he said were under surveillance by the Army. They include the Rev. James Groppi, activist Milwaukee priest, and the Rev. Ralph Abernathy, head of the

Southern Christian Leadership Conference.

ACLU also produced as a witness Tuesday another former Army intelligence agent, Ralph M. Stein, of Flushing, N.Y., who served at Fort Holabird, Md., central headquarters of U.S. military intelligence operations.

Stein told how he ran a "left-wing desk" at Fort Holabird from July, 1967, to October, 1968, for the Army's counter-intelligence analysis branch.

**FOR A THIRD** ACLU witness Tuesday, Austin extended to Illinois a controversial California ruling that says newsmen may refuse to disclose their confidential sources of information.

The witness, Jared Stout of Newhouse News Service, asserted the right not to divulge his sources of information that Army spying on civilian dissidents had taken place.

**TESTIMONY WAS** also heard Tuesday from Morris Janowitz, chairman of the University of Chicago's sociology department.

A onetime specialist in psychological warfare on Gen. Dwight D. Eisenhower's staff, Janowitz criticized Army spying on civilians.

He said the Army's role in surveillance of civilians "raises issues about freedom of speech" and "chills people and causes confusion" about the military's role in government.

Janowitz was an expert on the politics of the German Army during World War II.